

Implementation of this proposed sale will require U.S. Government or contractor representatives to travel to India for a period of one week at a time to conduct a detailed discussion of the various aspects of the hybrid program with Government of India representatives. Additional travel will be required for equipment de-processing/fielding, system checkout and new equipment training and Contractor Furnished Service Representatives (CFSR) for a period of thirty months.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### TRANSMITTAL NO. 18-18

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

#### Annex Item No. vii

##### (vii) Sensitivity of Technology:

1. The AN/APG-78 Fire Control Radar (FCR) is an active, low-probability of intercept, millimeter-wave radar, combined with a passive Modernized Radar Frequency Interferometer (MRFI) mounted on top of the helicopter mast. The FCR Ground Targeting Mode detects, locates, classifies and prioritizes stationary or moving armored vehicles, tanks and mobile air defense systems as well as hovering helicopters, helicopters, and fixed wing aircraft in normal flight. The MRFI detects threat radar emissions and determines the type of radar and mode of operation. The FCR data and MRFI data are fused for maximum synergism. If desired, the radar data can be used to refer targets to the regular electro-optical Target Acquisition and Designation Sight (TADS), Modernized Target Acquisition and Designation Sight (MTADS), permitting additional visual/infrared imagery and control of weapons, including the semi active laser version of the Hellfire. Critical system information is stored in the FCR in the form of mission executable code, target detection, classification algorithms and coded threat parameters. This information is provided in a form that cannot be extracted by the foreign user due to anti-tamper provisions built into the system. The content of these items is classified SECRET.

2. The Modernized Target Acquisition and Designation Sight/Modernized Pilot Night Vision Sensor (M-TADS/M-PNVS) provides second generation day, night, limited adverse weather target information, as well as night navigation capabilities. The M-PNVS provides second generation thermal imaging that permits nap-of-the-earth flight to, from, and within the battle area, while M-TADS provides the co-pilot gunner with improved search, detection, recognition, and designation by means of Direct View Optics (DVO), P<sup>2</sup> television, second generation Forward Looking Infrared (FLIR) sighting systems that may be used singularly or in combinations. Hardware and releasable technical manuals are UNCLASSIFIED.

3. The AN/APR-48B Modernized Radar Frequency Interferometer (M-RFI) is an updated version of the passive radar detection and direction finding system. It utilizes a detachable User Data Module (UDM) on the M-RFI processor, which contains the Radar Frequency (RF) threat library. The UDM, which is a hardware assemblage item, is classified CONFIDENTIAL when programmed with threat parameters, threat priorities and/or techniques derived from U.S. intelligence information. Hardware becomes CLASSIFIED when populated with threat parametric data. Releasable technical manuals are UNCLASSIFIED.

4. The Hellfire AGM-114 missile is an air-to-surface missile with a multi-mission, multi target, precision strike capability. The

Hellfire can be launched from multiple air platforms and is the primary precision weapon for the United States.

a. The Hellfire Longbow Missile (AGM-114L3) provides an adverse weather, fire-and-forget missile version of the Hellfire Missile System, incorporating a millimeter wave radar seeker on a Hellfire II aft section bus. The Hellfire Longbow Missile is designed to engage and defeat individual hardpoint targets and minimize exposure time to enemy fire, which greatly increases the AH-64E Longbow survivability factor. The AGM-114L3 non-NATO export version will be provided. The weapon system hardware, as an "All Up Round", is UNCLASSIFIED. The AGM-114L3 missile software is SECRET. The highest level of classified information that could be disclosed by a proposed sale or by testing of the end item is SECRET and the highest level that must be disclosed for production, maintenance, or training is CONFIDENTIAL. Vulnerability data, countermeasures, vulnerability/susceptibility analyses, and threat definitions are classified SECRET or CONFIDENTIAL.

b. The highest level for release of the AGM-114R Hellfire II missile is SECRET, based upon the software. The highest level of classified information that could be disclosed by a proposed sale or by testing the end item is SECRET; the highest level that must be disclosed for production, maintenance, or training is CONFIDENTIAL. Reverse engineering could reveal CONFIDENTIAL information. Vulnerability data, Countermeasures, vulnerability/susceptibility analyses, and threat definitions are classified up to SECRET.

5. The STINGER Block I 92H International Missile System, hardware, software and documentation contain SENSITIVE technology and are classified CONFIDENTIAL. The guidance section of the missile and captive flight trainer contain highly SENSITIVE technology and are classified CONFIDENTIAL. No man-portable grip stocks will be sold under this LOA.

Missile system hardware and fire unit components contain SENSITIVE critical technologies. STINGER critical technology is primarily in the area of design and production know-how and not end-items. This SENSITIVE/critical technology is inherent in the hybrid microcircuit assemblies; microprocessors; magnetic and amorphous metals; purification; firmware; printed circuit boards; laser range finder; dual detector assembly; detector filters; missile software; optical coatings; ultraviolet sensors; semiconductor detectors infrared band sensors; compounding and handling of electronic, electro-optic, and optical materials; equipment operating instructions; energetic materials formulation technology; energetic materials fabrication and loading technology; and warhead components seeker assembly. Information on vulnerability to electronic countermeasures and countermeasures, system performance capabilities and effectiveness, and test data are classified up to SECRET.

6. The Stinger Captive Flight Trainer (CFT) is a Stinger missile guidance assembly in a launch tube. The CFT provides operator training in target acquisition, tracking, engagement, loading/unloading and sustainment training at the unit. The hardware is classified CONFIDENTIAL. Releasable technical manuals are UNCLASSIFIED.

7. If a technologically advanced adversary were to obtain knowledge of specific hardware, the information could be used to develop countermeasures which might reduce weapons system effectiveness or be used in the development of a system with similar or advanced capabilities.

8. A determination has been made that India can provide substantially the same de-

gree of protection for sensitive technology being released as the U.S. Government. This proposed sustainment program is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

9. All defense articles and services listed on this transmittal are authorized for release and export to the Government of the India.

#### ADDITIONAL STATEMENTS

##### REMEMBERING TRACY WARREN HYLTON

● Mr. MANCHIN. Mr. President, I rise today to honor the life and legacy of Tracy Warren Hylton, a proud West Virginian, World War II Veteran, a legendary businessman, a fierce advocate for our proud coal heritage, and one of the dearest friends I have ever known.

I have known Tracy my whole adult life. Tracy was doing business with my father-in-law, Carl Conelly, when I met him in 1966. Ever since then, I have always considered Tracy to be a very dear friend. He had a different sense humor that kept us all laughing, which will be sorely missed. Throughout his long life, he did a great deal for Raleigh County and Beckley, was a good legislator, and was always extremely kind.

Our little State has mined the coal that forged the steel that built the tanks and ships that keep our country the strongest in the world. Coal miners themselves are some the bravest and most patriotic men and women I have ever met, and it is an honor to fight for our coal heritage and our way of life that sinks deep into the roots of West Virginia's rich culture. I am so deeply proud of what our citizens have accomplished and what they will continue to accomplish. So it is with a heavy, but grateful heart that I join my fellow West Virginians in honoring Tracy, a "king" of coal in southern West Virginia.

There is no better position to find yourself in than being able to give back to the community you love. I can attest that my small hometown of Farmington helped make me who I am, and it brings so much joy to my life to be able to give back to the place that shaped me. Tracy and I shared that mentality.

Born on the Fourth of July in Crab Orchard and having grown up in the coalfields, Tracy was a true patriot and was passionate about our State and its heritage. His father, Arthur, was a coal miner and a carpenter, and his mother, Grace, ran a boarding house at Stotesbury. They were hard-working people, and they passed their knowledge and work ethic to each of their six children.

Tracy attended Mark Twain High School with our dear Senator Robert C. Byrd before attending Concord College and West Virginia University. He enlisted in the Army in 1943 and served in the Pacific Theatre in the 267th Anti-Aircraft Ordnance Company during World War II. When he came home,

he met the love of his life, Betty Jo Foster. They had three sons: Tracy “Warren” Hylton II, Robert “Bobby” Hylton, and Harry “Mac” Hylton.

It was a troubling time for the coal market and for business in general during that time. He started a few different businesses, and though he had some failures, he never gave up hope. At one point, he was running a conveyor mining business out of the front seat of his pickup truck. He did what he had to do to succeed, and eventually, he founded Perry and Hylton, Inc., which expanded to become one of the largest mine companies in West Virginia.

Tracy was well known as a pioneer of modern surface mining techniques. His reclamation sites had a profound impact on the local communities, as they became home to high schools, housing developments, farms, and greenhouses.

He was an extraordinary leader. No detail could be slipped passed him, and he wasn't one to mince words. He was a man of his word, and as an employer, he was beloved. This carried over into his role as a State senator for the ninth district for Raleigh and Wyoming Counties from 1964 to 1972 and when he was reelected to serve an additional term from 1987 to 1990.

Tracy and my uncle, A. James Manchin, would have the most interesting and entertaining debates. When they weren't debating though, they were good friends. That relationship taught me a lot about working with someone with an opposing viewpoint.

He was truly one of the most humble, generous, and hard-working people I know. His generous spirit and compassion extended throughout the State, touching the lives of countless West Virginians with his anonymous donations to various charities.

What is most important is that Tracy lived a full life, surrounded by his wife, Betty; his sons Warren, Bobby, and Mac; and his beloved grandchildren Traci Jo Hylton, Kirsten S. Hylton, Morgan Tate Hylton, and Lance M. Hylton.

He was a true West Virginian, always willing to help a neighbor in need. I am honored to recognize his memory, as well as the unwavering love he had for his family, friends, our home State, and our great Nation.●

#### MESSAGES FROM THE HOUSE

At 11:55 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 449. An act to require the Surgeon General of the Public Health Service to submit to Congress a report on the health effects of new psychoactive substances (including synthetic drugs) use.

H.R. 3331. An act to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology.

H.R. 4275. An act to provide for the development and dissemination of programs and materials for training pharmacists, health care providers, and patients on indicators that a prescription is fraudulent, forged, or otherwise indicative of abuse or diversion, and for other purposes.

H.R. 4284. An act to establish a substance use disorder information dashboard within the Department of Health and Human Services, and for other purposes.

H.R. 4684. An act to direct the Secretary of Health and Human Services to identify or facilitate the development of best practices for operating recovery housing, and for other purposes.

H.R. 5002. An act to expand the unique research initiatives authority of the National Institutes of Health.

H.R. 5009. An act to include information concerning a patient's opioid addiction in certain medical records.

H.R. 5041. An act to amend the Controlled Substances Act to authorize the employees of a hospice program to handle controlled substances lawfully in the possession of a deceased hospice patient for the purpose of disposal.

H.R. 5102. An act to amend the Public Health Service Act to authorize a loan repayment program for substance use disorder treatment employees, and for other purposes.

H.R. 5176. An act to require the Secretary of Health and Human Services to provide coordinated care to patients who have experienced a non-fatal overdose after emergency room discharge, and for other purposes.

H.R. 5197. An act to direct the Secretary of Health and Human Services to conduct a demonstration program to test alternative pain management protocols to limit the use of opioids in emergency departments.

H.R. 5228. An act to strengthen the authorities of the Food and Drug Administration to address counterfeit drugs, illegal and synthetic opioids, and opioid-like substances, and for other purposes.

H.R. 5261. An act to amend the Public Health Service Act to provide for regional centers of excellence in substance use disorder education, and for other purposes.

H.R. 5272. An act to provide additional guidance to grantees seeking funding to treat or prevent mental health or substance use disorders.

H.R. 5327. An act to amend title V of the Public Health Service Act to establish a grant program to create comprehensive opioid recovery centers, and for other purposes.

H.R. 5329. An act to amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

H.R. 5353. An act to amend the Public Health Service Act to reauthorize and expand a program of surveillance and education, carried out by the Centers for Disease Control and Prevention, regarding infections associated with injection drug use.

H.R. 5473. An act to direct the Secretary of Health and Human Services to update or issue one or more guidances addressing alternative methods for data collection on opioid sparing and inclusion of such data in product labeling, and for other purposes.

H.R. 5483. An act to impose a deadline for the promulgation of interim final regulations in accordance with section 311(h) of the Controlled Substances Act (21 U.S.C. 831(h)) specifying the circumstances in which a special registration may be issued to a practitioner to engage in the practice of telemedicine, and for other purposes.

H.R. 5582. An act to direct the Secretary of Health and Human Services to conduct a

study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program.

H.R. 5583. An act to amend title XI of the Social Security Act to require States to annually report on certain adult health quality measures, and for other purposes.

H.R. 5587. An act to amend the Public Health Service Act to authorize certain recovery service grants to be used to establish regional technical assistance centers.

H.R. 5685. An act to amend title XVIII of the Social Security Act to provide educational resources regarding opioid use and pain management as part of the Medicare & You handbook.

H.R. 5800. An act to require the Medicaid and CHIP Payment and Access Commission to conduct an exploratory study and report on requirements applicable to and practices of institutions for mental diseases under the Medicaid program.

H.R. 5812. An act to amend the Public Health Service Act to authorize the Director of the Centers for Disease Control and Prevention to carry out certain activities to prevent controlled substances overdoses, and for other purposes.

#### ENROLLED BILLS SIGNED

At 3:36 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1869. An act to reauthorize and rename the position of Whistleblower Ombudsman to be the Whistleblower Protection Coordinator.

S. 2246. An act to designate the health care center of the Department of Veterans Affairs in Tallahassee, Florida, as the Sergeant Ernest I. “Boots” Thomas VA Clinic, and for other purposes.

H.R. 2333. An act to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies.

H.R. 4743. An act to amend the Small Business Act to strengthen the Office of Credit Risk Management within the Small Business Administration, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 449. An act to require the Surgeon General of the Public Health Service to submit to Congress a report on the health effects of new psychoactive substances (including synthetic drugs) use; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4275. An act to provide for the development and dissemination of programs and materials for training pharmacists, health care providers, and patients on indicators that a prescription is fraudulent, forged, or otherwise indicative of abuse or diversion, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4284. An act to establish a substance use disorder information dashboard within the Department of Health and Human Services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4684. An act to direct the Secretary of Health and Human Services to identify or facilitate the development of best practices for